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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 0104-0563P	
	Application Number 09/746,776-Conf. #1432	Filed December 22, 2000	
	First Named Inventor Christian MERHEIM et al.		
	Art Unit 2621	Examiner T. T. Vo	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>39,491</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p> Signature</p> <p> Michael R. Cammarata Typed or printed name</p> <p><u>(703) 205-8000</u> Telephone number</p> <p><u>March 14, 2008</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

Docket No.: 0104-0563PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Application No.: 09/746,776

Confirmation No.:

Filed:

Art Unit:

For:

Examiner:

REQUEST FOR A PRE-APPEAL BRIEF CONFERENCE

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 14, 2008

Sir:

INTRODUCTORY COMMENTS

Applicants respectfully request review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed concurrently with a Notice of Appeal.
The review is being requested for the reasons set forth on the attached five (5) Sheets.

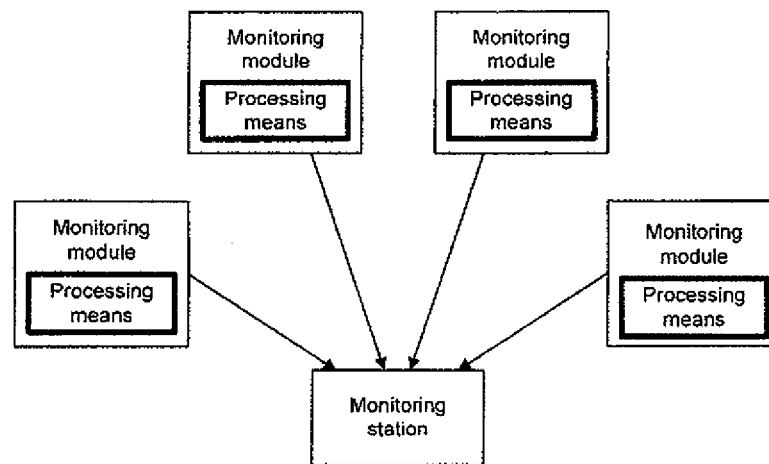
ARGUMENTS

Applicants respectfully submit that the Examiner has made the following clear errors:

- (1) The Examiner fails to understand the distinctions between Yuasa's centralized system and the claimed distributed system. Thus, the Examiner is improperly interpreting and applying Yuasa's in rejecting claims 1-11 under 35 U.S.C. §103(a), specifically claims 1, 6 and 9 as being anticipated by Yuasa et al. (U.S. Pat No. 4,679, 077).
- (2) The Examiner applies teachings of Yuasa that are inconsistent with what is claimed.

The Claimed Invention and Yuasa's Teachings are Distinctly Different

The present invention represents a **distributed monitoring system**. A distributed system is characterized in that the data processing is distributed to each of the different modules of the system. In the case of a distributed monitoring system, such as the monitoring system according to claim 6, this can imply that part of or the entire processing of the recorded image data is performed within each of the monitoring modules, as is illustrated below.



A distributed monitoring system

A distributed monitoring system implies the following advantages:

Improved scalability

Since each monitoring bears its own processing means a new monitoring module may be added to the system without having to consider available processing capacity of the system.

Improved flexibility

If a certain monitored location requires a monitoring module having a high resolution and thereby a processing means having higher processing capacity since more data is to be processed, such a high resolution monitoring module can be added to the system without having to change any other part of the system.

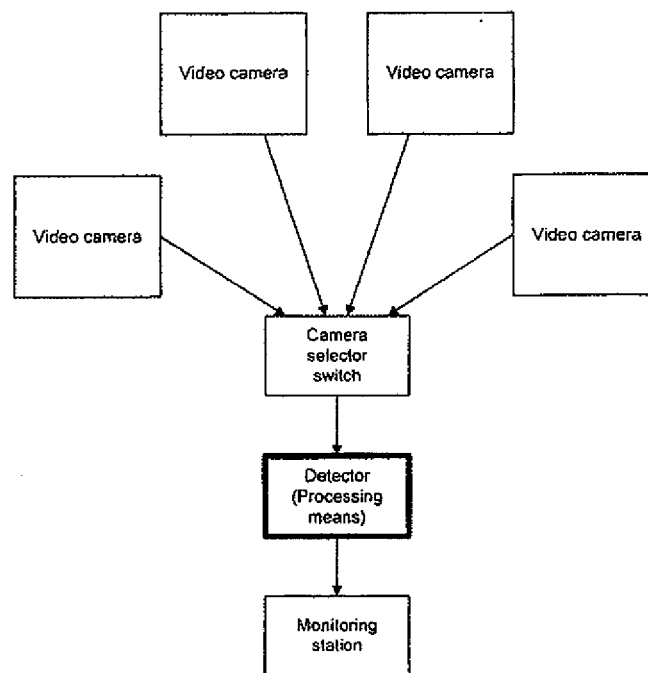
Improved integrity

By processing the data within each of the monitoring modules, it is possible to process the data in such a way that the identity of the person being monitored is not revealed and then, after the processed data has been transmitted to the monitoring station, deleting the original recorded

data. By doing so, the risk of revealing the identity of the monitored person is reduced to a high extent.

The system disclosed by **Yuasa et al. is a centralized system**. Fig 1, which the Examiner implies teaches the claimed features, discloses a plurality of cameras 1-1 to 1-n, a camera selector switch 2 and a number of detectors, such as the primary detector I O. **Yuasa et al. is completely silent about having processing means within each of the cameras**. Further, the Examiner implication that the processing of the primary and secondary detectors is part of each camera is unfounded. There is no teaching or suggestion to this which even under KSR v. Teleflex there must be some reasoning for modifying the cameras in the manner the examiner has implied. However, there is none except hindsight which is impermissible and thus the Examiner's arguments are baseless.

Yuasa at best only teaches the cameras for recording image/video data. Hence, Yuasa et al. discloses a centralized system. In other words, a system in which the steps of extracting an area in the recorded image that differs from a reference image, extracting an object from the area and classifying the object are **not** performed within each of the monitoring modules. A figure illustrating the system of Yuasa et al. is provided below.



A centralized camera system

Since the processing means is not provided in each of the video cameras the advantages mentioned in association to the distributed system above are not achievable when using a centralized system as the one disclosed in Yuasa et al. Therefore, there is a distinct difference between the centralized system as disclosed in Yuasa et al. and the distributed system according to the present invention.

Because the cameras in Yuasa only record images, they do not perform extracting areas in the recorded image, extracting an object from an area and classifying an object if the object is a human alarm object as claimed by Applicants. In Yuasa, extracting of data and classifying data is performed by the primary and

secondary change detector. The primary and secondary change detectors are not part of the cameras and cannot be considered as such. Thus, the separate video cameras of Yuasa do not perform each of the claimed steps. **Each of the cameras in Yuasa only record images, then send these images to the centralized primary and secondary change detectors and thus each camera separately does not perform the steps of the claimed invention.**

No Teaching in Yuasa of Transmitting Data Only if the Object is Classified as a Human

It is noted that because of the distinct processing performed at each monitoring module, not a centralized location as in Yuasa, not all data is transmitted, only certain relative data. This improves the overall effectiveness of the system, particularly improved data transmission efficiency and less operator interaction is required. Specifically, only data classified as a human alarm object is transmitted. Yuasa does not teach this feature.

Even if a skilled person would re-arranged the centralized system described in Yuasa et al into a distributed system, which applicants contend they would not based on Yuasa's teachings, he would not arrive at the claimed invention.

Yuasa et al. teaches a method in which the picture information is compressed by using differential pulse code modulation quantization (see column 6 lines 51-53). Hence Yuasa et al. teaches away from first classifying an object in the picture before image data is processed and transmitted from the monitoring station.

Yuasa Does Not Teach Representing Data Referring to the Object in a Stylized Way

Even if the skilled person re-arranged the centralized system described in Yuasa et al. into a distributed system and realized that it would be beneficial to only transmit data from the monitoring modules when an object representing a human has been detected, which applicants contend they would not in view of Yuasa, he would not arrive at the claimed invention.

Apart from the features described above, the transmitted data is namely processed such that the extracted area of the image is presented in a stylized way, which means that the human alarm object is represented as a recognizable human shape.

An advantage of this is that the operator can see that a human is detected without necessarily reducing the resolution, or in other way reducing the level of details in the image. In this way the operator can easily see where the detection has taken place, although he cannot see the identity of the person being identified.

As argued above, Yuasa et al. instead teaches a method in which the picture information is compressed. It is to be readily understood by the skilled person that compressed picture information resulting from differential pulse code modulation quantization, as proposed by Yuasa et al., can not be utilized for presenting the extracted area of the image in a stylized way according to the present invention. Thus Yuasa et al. teaches away from a method according to the claimed invention.

Further, Yuasa teaches a completely different system in which a predefined pattern data of objects such as humans, smoke, etc., are compared to images obtained by the cameras at the primary change detector.

The primary change detector is not part of the camera, but even if it was, the predefined pattern data is a line drawing and is not a stylized representation of the extracted image data. In fact, it can't be since it is predefined prior to capturing the image data. It is only a symbol of the object in the image, human, smoke, etc. and nothing more.

From the comparison of the location of where the object was in the image by the primary change detector, an alarm data is generated. The alarm data, picture data and line drawing data (pattern data) are all transmitted and displayed for an operator. See Col. 11, lines 47-50, 58-62 and Col. 12, lines 14-16.

Thus, Yuasa teaches transmitting from the primary change detector, not the monitoring modules, various data including alarm data, picture data and a line drawing data (which is a symbol) to an operator. Even so, nowhere does Yuasa teach transmitting from the primary change detector only the extracted object of an image, let alone in a stylized way when the object is classified as a human alarm object. In fact, the only image data transmitted in Yuasa is the extracted picture data. The line drawing data is not image data but a predefined symbol or representation of objects which are believed to have appeared in the image data. A line drawing data, however, is not taken from the image data itself as it is predefined.

Conclusion


In view of the foregoing, Applicant respectfully submits that the Examiner's rejection of the claims in view of Yuasa is improper. Thus, the rejection should be withdrawn.

Should the Examiner believe that anything further would be desirable to discuss in this application to facilitate prosecution or in allowance of the application, the Examiner is invited to contact Chad Billings (Reg. No. 48,917) at (703) 205-8001 **to schedule an Interview.**

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: March 14, 2008

Respectfully submitted,

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